

Summary of October 19, 2000
Indiana Department of Environmental Management (IDEM) and
Clean Manufacturing and Safe Materials Institute (CMTI)
Meeting with Metal Finishers and POTWs Participating in
Metal Finishing Strategic Goals Program

The meeting was called to order at 11:05 a.m. by facilitator Shayla Barrett of the Clean Manufacturing and Safe Materials Institute. The facilitator welcomed meeting participants and summarized the main meeting agenda items. The current SGP mailing list was circulated so meeting participants could indicate their attendance and note any additions/corrections to contact, address, phone, fax or e-mail information as needed.

OPENING REMARKS FROM IDEM

After introductions by those in attendance, IDEM Deputy Commissioner Tim Method provided brief opening remarks as follows:

- Acknowledged three (3) newest industry participants: Aluminum Finishing Corp. (Indianapolis), Electro-Spec., Inc. (Franklin) and Three Rivers Gold Plating (Fort Wayne).
- Reported on IDEM's Office of Planning and Assessment which assists in the agency's coordination of:
 - Multimedia permitting and compliance work,
 - Strategic planning,
 - Environmental education, and
 - Information and computer work.
 Office is headed by Paula Smith, formerly of the Office of Pollution Prevention and Technical Assistance. Debbie Dubenetzky now works in this office and either she or Paula can provide additional information concerning the functions of this office upon request.
- Noted Indiana's involvement in USEPA's National Performance Track Program, which has similarities to Indiana's 100% Club Environmental Leader Program (but 100% Club is applicable to major permit holders only).
 - Indiana has applied for EPA grant funds to assist in the Performance Track Program.
 - Metal finishers are also eligible to participate in the National Performance Track Program, in addition to the Metal Finishing Strategic Goals Program.

NATIONAL/REGIONAL UPDATES

Claudio Ternieden, EPA Headquarters

Claudio provided a summary of key activities at the EPA national level as follows:

- noted there is a major push at EPA Headquarters to work with states, local governments, and companies to develop/implement state and local SGP programs. EPA has pulled together a variety of tools we can all use to assist in this implementation. For municipalities, this also includes some realistic language on how to provide benefits through ordinance revisions, through new policies (using existing ordinances without revisions), etc.
- EPA is in the draft stages of preparing an SGP report card to include accomplishments; challenges; what's working and what's not; and by looking at the company performance evaluations, are we making progress. The report card will serve as sort of a "reality check."
- Noted that Indiana's program is moving along well, due largely to the initiative and dedication of its participants, but is also not without its own challenges.
- Status of Pretreatment Streamlining Rule: draft is now moving forward due to commitment from EPA's Office of Water. Claudio explained that because the Total Maximum Daily Load (TMDL) rule has gone through, there are now resources available to redirect to other rules. The streamlining rule has been identified as one to move forward.
- Noted that the National Performance Track Program is evidence of EPA's commitment to move forward on pretreatment streamlining as the agency considers possible incentives for those companies qualifying for Performance Track. The Performance Track Program is incentive and recognition oriented, targeted at top performers only who have an environmental management system, and includes possible streamlining which could include reporting and monitoring frequency and how those would work. There is increasing pressure on the Office of Water to renew its efforts on the proposed streamlining rule.

- Status of Metal Products and Machinery (MP & M) Rule:
Expected to be signed and published in Federal Register soon. Claudio explained that the preamble will include options, economics and other data concerning the rule, and the rulemaking process allows an opportunity for public comment on the rule. Due to the SGP, “alternative track” language will be included in the preamble, which may allow metal finishers to show that by using and documenting best management practices and pollution prevention, that they do not have to come under new limits required in the MP & M rule, and maintaining their current 40 CFR 413 or 433 status.
- Reported that in follow-up to the SGP Summit in Chicago in June, EPA’s Office of Policy and Office of Enforcement and Compliance Assurance were meeting together in Boston today to discuss various issues pertinent to the metal finishing industry. Mindy Gampel is attending that meeting, and sends her regrets that she was unable to attend the Indiana stakeholder meeting today.

Matthew Gluckman, EPA Region 5

- Added that in an effort to finalize the pretreatment streamlining rule, EPA pretreatment coordinators would be meeting in Phoenix in October. The final rule is anticipated sometime in March 2001, and EPA’s Office of Water understands the agency’s commitment to the SGP.
- Also reiterated that the Metal Products and Machinery rule is to be signed by the end of October, and will include a pollution prevention option. Matt noted that EPA pushed hard to stress the SGP in this rulemaking. Also noted earlier concern by metal finishers that if you do SGP now, then MP & M later, that there would be a problem.
- Claudio added that the proposed rule will maintain discretion by publicly owned treatment works (POTWs) for an alternate track for local metal finishers. Recognizing POTWs may have knowledge and access to data, EPA is also asking for comments regarding the role of the POTWs in the alternate track approval process.
- Noted that at the regional office they still do not have an intern for SGP. As pretreatment coordinator for the region, Matt is committed to the SGP and is continuing to try and stay involved.
- Due to the upcoming change in administration, EPA will continue to be asked for proof that performance progress is being made by metal finishers and the SGP continues to be a benefit to the metal finishing industry and the environment. Therefore it is imperative that metal finishers submit their baseline and annual performance worksheets to document that progress towards the SGP performance goals is being made.
- Performance information also assists state/local programs in justifying that this program is beneficial to the environment.
- Question #1: A question was raised about the proposed MP & M rule and the preferred trigger volume or expected flow cutoff.
Response: Matt responded that he does not expect a flow cutoff, instead MP & M as a catch-all category to which the job shop, printed circuit board, steel finishing and other process categories would move.
- Question #2: A second question was raised regarding the effect of EPA’s National Performance Track Program on the Metal Finishing Strategic Goals Program. Are they competing programs? Should an electroplater forget about the SGP and go for the Achievement Track Program?
Response: Claudio responded by comparing and contrasting the different objectives of these two programs, both coming out of EPA’s Office of Policy, Economics and Innovation.
 - He stressed that the SGP includes all companies divided up into four performance tiers, with Tier 4 at the bottom, and Tier 1 as the highest “beyond compliance” tier. Companies are offered incentives and assistance to move up the performance tiers to beyond compliance.
 - The Performance Track Program is targeted to the top tiers only, with no significant violations in the last three years, and a mandatory requirement for an environmental management system and community outreach. He stressed that they are not competing programs, company eligibility is the difference.
 - Other differences are that the Performance Track Program does not directly work with companies to move them to a higher performance level. The SGP is more for everyone and a team-based effort to assist companies in achieving better environmental performance. The SGP can also assist companies in their eligibility for the Performance Track. The Performance Track is more about getting credit for what you have already done.
 - The National Performance Track Program initially includes an Achievement Track level, and will eventually include a higher Stewardship Level. Those companies approved for Achievement Track will have the opportunity to build and comment on the Stewardship Level.

Gary Romesser/IDEM on Behalf of Mark Sutton/H.H. Sumco, SGP Industry Board of Directors

Although Mark was unable to attend the meeting, he provided Gary with a written summary report to present to meeting participants on his behalf. Based on Mark's report, Gary reported the following:

- Industry Board of Directors met September 11 in Washington, DC. Coventry Group reported that of 440 companies participating, 230 have submitted their baseline performance worksheets, 131 have submitted their 1999 data, and 209 have submitted no data.
- Of those companies reporting, greatest progress to-date has been on the following goals: 71.7% on reduction in human exposure goal, 83.9% on reductions in organic emissions, and 62% of metals utilization.
- Key issues: energize participation at the grass-roots level in key states. Utilize peer-to-peer contacts and one-on-one communications. Stress positive relationships with regulators and effect on the bottom line, utilization of best practices, and serve as a model for other industries.
- Deadline for submission of performance data was extended to an October 30 deadline.
- Need for case studies, SGP success stories on how participation has added to a company's bottom line – highlight in SGP newsletter.
- Use of other tools such as SGP bronze, silver, or gold achievement logos by member companies.
- Question: how does a plater know if they are missing performance data? Response: they'll get a call from Coventry Group or other industry participants.

INDIVIDUAL WORKGROUP REPORTS

RCRA Issues Workgroup

Workgroup co-lead Gary Romesser presented an update of major items under review by the RCRA Workgroup as follows:

- Have held two meetings since last stakeholder meeting in July 2000. Joan Tanaka of EPA Region 5 is a new participant to the workgroup by conference call. Joan is involved in EPA's innovations group and is working to garner the involvement from Region 5's RCRA group as well.
- Gary circulated copies of a prepared workgroup report (attached) and provided a verbal report as follows –
 - In regard to a solid waste variance request and state-to-state reciprocity (lack of), the workgroup continues to work with Mark Sutton/Sumco on preparation of a model solid waste variance request. Sumco is now working with two states on a variance request, Illinois and Indiana.
 - Group has also prepared and discussed a rough draft issue paper with EPA Region 5 workgroup participants, and has asked for a formal document from EPA on receipt of the issue/findings.
 - IDEM process for fast-tracking "variance" and "delisting" requests: group has discussed format. Dave Berrey of the Office of Land Quality's Technical Compliance Section will review submittals for completeness, probably schedule a site visit to the facility submitting the request, and send on to technical review staff for further evaluation. Technical review will then accept or reject the request, then on to the Commissioner for approval.
 - Database of recycling facilities – complicated due to regulatory and ownership issues concerning the reclaimers. Ted Heemstra will be working with Mark Stoddard of IDEM's Office of Pollution Prevention and Technical Assistance to include more specifics that a metal finisher would want/need to know. Once list ready, recommendations will be included for evaluating the facilities.
 - Question: Current status of Indiana adopting EPA's RCRA 90 to 180 day F006 storage rule?
Response: Gary noted that IDEM has a non-rule policy document already in place to allow enforcement discretion as the state adopts the changes to the federal rule. Indiana's delisting authorization to be effective the end of October 2000.

Noted that this would be a good article for the next edition of CMTI's "Indiana SGP" newsletter.

POTW Issues Workgroup

Sue Claussen/Michigan City and Ken Zmudzinski/South Bend reported the following:

Sue Claussen:

- Status of Indiana's Pretreatment Rule – Governor signed on October 10, goes into effect 30 days after that. This rulemaking is the first step to Indiana pretreatment delegation from EPA Region 5.
- Recruitment – new cities being targeted for SGP promotion include Lebanon, Greenfield, and Columbia City. These cities have been targeted because they have companies within their jurisdictions who have signed on, but the POTW itself has yet to sign on. Sue called each of them regarding the program and encouraged their support. She will send them copies of the minutes from today's meeting and invite them to the next quarterly stakeholder meeting.
- Performance Ladder Issues – Sue will talk with Cheri Storms of the Performance Ladder/5-Star workgroup. Questions have arisen such as if a company experiences bumps and starts (related to process or technology changes for SGP) and ends up in non-compliance or SNC, how will this effect their 5-Star Program status? Will they have to start over in the process? Other questions concern the tie-in of local benefits with the 5-Star Program.

Ken Zmudzinski reported:

- Distributed a POTW workgroup handout regarding the authority to grant incentives to SGP participants. Received guidance from Claudio/EPA Headquarters regarding an approach for local POTWs to develop the necessary authority to grant incentives to Indiana SGP participants.
- Noted POTWs can offer local recognition of companies doing good things to improve their performance, and if a violation happens, the different local boards can handle through ordinance resolution. If violations happen, POTW can also document to the district/local boards this good faith and good standing through the SGP and possibly reduce fines.
- Enforcement response policies can lay out a range of options in lieu of a formal modification of the enforcement response policy.
- Claudio has shared the Town of Addison, Illinois ordinance as an example of some useful language for ordinance revisions. The POTW workgroup will share this information with all Indiana SGP POTW participants (contact Ken Zmudzinski).

Technical and Financial Assistance Workgroup

Shayla Barrett/CMTI reported the following:

- CMTI has conducted a total of five drag-out workshops to date and will continue to conduct at no charge at Indiana SGP companies upon request. He commented that nickel shows excellent drag-out, while lead plating shops did not show as much drag-out as nickel. Good feedback on workshops being beneficial.
- What happens at a drag-out workshop is that he shows a 10-20 minute EPA video, then uses a conductivity meter at the company's rinse tanks.
- Also reminded companies they have until October 30 to get their performance worksheets submitted.
- Question: any financial assistance from EPA for SGP? Response: No
- Claudio reported that EPA is investigating the possibility of developing various training modules to take out on the road; some geared toward POTWs and their pretreatment staff, and some to states. Examples include environmental management systems, training for new pretreatment staff, and refresher training for more experienced staff. EPA would like ideas on topics of interest to states and city pretreatment staff.

Emergency Preparedness Workgroup

Shayla Barrett reported that Dr. Corson/CMTI will be working with H.H. Sumco to prepare an emergency preparedness manual. The potential usefulness of this tool was noted following a major fire at Certified Metal Finishers in Muncie.

Recruitment Workgroup

Jerry Phillips reported the following:

- three Indiana metal finishing facilities have signed on to the SGP since the beginning of the summer bringing the total to 19.

- SGP was promoted at the Partners for P2 Conference on September 20 in Greenwood as part of the Indiana Industrial Operators Association (IIOA) booth, with updated brochures that included a listing of participants.
- SGP will also be promoted at upcoming Indiana Water Pollution Control Association conference on November 14 as a part of the IIOA booth. IDEM will be updating the SGP posters with new participant names.
- Jerry (and others) have been making phone calls to companies about getting their performance data sent in. This data is needed to document performance accomplishments.
- Also announced American Electroplaters and Surface Finishing Society-Indianapolis Branch meeting to be held on November 27 at the Holiday Inn North in Indianapolis. Meeting will feature a speaker from national industry government relations staff who will discuss regulatory issues that apply to the metal finishing industry (e.g., MP & M, OSHA-urban ergonomics, etc.). Cost for the meeting is \$25.
- Claudio Ternieden and Mindy Gampel of EPA, Bill Blue of IDEM, and Shayla Barrett of CMTI traveled to Kokomo and Greensburg on October 19 to promote the SGP to local officials and answer questions. Tim Heider/WREP-Indy also attended the meeting in Greensburg.
- CMTI traveled to Evansville and met with “413 and 433” companies to promote the SGP earlier this fall.
- P2 for Electroplaters Conference to be held at Purdue in March 2001. Open for recommendations for presentations.

Performance Ladder/5-Star Workgroup

Debbie Dubenetzky reported on behalf of workgroup lead Cheri Storms as follows:

- Workgroup met once since the last full stakeholder meeting in July. Next steps include further development of the 5-Star performance ladder in conjunction with the POTW workgroup.
- Cheri plans to call a meeting of the workgroup in late November/early December and everyone on the SGP mailing list will be notified of the meeting date/location.

INTEREST IN REQUESTING CONTINUING EDUCATION CREDITS FOR FUTURE SGP MEETINGS

Both Shayla and Debbie reported that the issue had recently been raised by an SGP company.

- We can request 2 CEU credits for each of these quarterly stakeholder meetings from IDEM’s Office of Water and rework our standing meeting agendas to incorporate this specific training. Debbie has the CEU approval request forms.
- Potential topics could include environmental management systems, drag-out seminars, etc. Meeting participants agreed they would like for Debbie to request CEU approval for future meetings.

Question: What is EPA’s Project XL and the relationship to the SGP?

Response: Both programs come out of EPA’s Office of Policy, Economics and Innovation. They are complementary programs, but targeted at different types of things. Project XL is a very complex program and is the next level beyond SGP. It involves the development of a detailed project proposal from the requesting facility, an intensive negotiation process with EPA, with the benefit of regulatory flexibility in exchange for environmental benefits.

NEXT STEPS

1. IDEM to prepare meeting summary, update the Indiana SGP implementation plan, and distribute these documents. **A copy of the updated implementation draft for 2000-2001 is attached.**
2. Workgroups should continue to meet over the coming weeks.
3. Metal finishers and POTWs to be on the lookout for publication of the MP & M rule in the Federal Register in late fall and submit comments to EPA. CMTI will get the word out when the rule has been published.
4. RCRA workgroup to continue to work with Sumco on preparation and submittal of their solid waste variance request to IDEM.
5. POTW workgroup representative(s) to attend next meeting of the 5-Star Workgroup.
6. POTW workgroup to share Town of Addison, Illinois ordinance language with the rest of the SGP POTWs.
7. Debbie to apply for CEU credits for next SGP meeting.
8. Recruitment workgroup will promote SGP at IWPCA conference in November.
9. Metal finishers to submit suggestions for possible topics for P2 for Electroplaters Conference to be held in March 2001 to Shayla Barrett or Jerry Phillips (e.g., plant shutdown, plant relocation, EPA SGP success stories).

DATE/LOCATION OF NEXT MEETING

Next quarterly meeting to tentatively to be held on either January 18 or 25, 2001 from 11:00 a.m. to 1:00 p.m. EST in Indianapolis. IDEM/CMTI will work on finding a meeting location – preferably at the Marion County Extension Office at 9245 North Meridian Street.

ADJOURNMENT

The facilitator adjourned the meeting at 1:05 p.m.

Attachments: RCRA Draft Workgroup Report dated 10-19-00
Indiana SGP Industry Board of Directors Report dated 10-18-00
Indiana SGP Implementation Plan for 2000-2001 – Updated 12-12-00